

Notice of Allowability

Application No.

10/814,086

Applicant(s)

RODER ET AL.

Examiner

Art Unit

Michael P. Ferguson

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 19 December 2006 interview, 05 December 2006 amendment.
2. ☒ The allowed claim(s) is/are 1,3-9,11-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>12/19/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on December 19, 2006, Michael S. Gzybowski requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 12-2136 the required fee of \$120.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, in line 3 after "the locking device comprising" inserted --a primary connection including a hub that rotatably connects the upper and lower connection components; and secondary connection that rotatably connects the upper and lower connection components in the event the primary connection fails, the secondary connection including--.

In claim 1, in line 4 after "opposite vertical sides of the" inserted --primary--.

In claim 1, in line 6 after "each respective end" inserted --of the shell segments, --.

In claim 1, in line 8 after "so that, should the" inserted --primary--.

In claim 1, in line 9 after "components" deleted "come apart" and replaced with --fail--.

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In claim 1, in line 10 after "upper engaging" deleted "sections" and replaced with --section--.

In claim 1, in line 11 after "lower engaging" deleted "sections" and replaced with --section--.

In claim 1, in line 13, before "upper and a lower washer" inserted --an--.

In claim 1, in line 13 after "washers (9,29)" deleted "each being assembled" and replaced with -- , each being comprised--.

In claim 1, in line 14 after "the washers" deleted "(9,29)" and replaced with --segments--.

In claim 1, in line 15 after "outside and in" inserted --said--.

In claim 1, in line 18 after "respective washer segments (11,12)" inserted --of the upper and lower washers--.

In claim 5, in line 1 after "according to Claim" deleted "2" and replaced with --1--.

In claim 9, in line 4 after "the locking device comprising" inserted --a primary connection including a hub that rotatably connects the upper and lower connection components, wherein an axial passageway is provided within the hub for routing supply lines therethrough; and secondary connection that rotatably connects the upper and lower connection components in the event the primary connection fails, the secondary connection including--.

In claim 9, in line 5 after "opposite vertical sides of the" inserted --primary--.

In claim 9, in line 7 after "each respective end" inserted --of the shell segments, --.

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In claim 9, in line 9 after "so that, should the" inserted --primary--.

In claim 9, in line 9 after "two connection components" deleted "come apart" and replaced with --fail--.

In claim 9, in line 10 after "against the upper engaging" deleted "sections" and replaced with --section--.

In claim 9, in line 12 after "lower engaging" deleted "sections" and replaced with --section--.

In claim 9, in line 13 after "lower connection component" inserted -- , said locking device further comprising an upper and a lower washer (9,29), each being comprised of at least first and second washer segments (11,12), the washer segments being configured so that each can be pushed onto the connection from the outside and in said horizontal direction, whereby, when installed, the upper washer (9) is fixed to the upper connection component and the lower washer (29) to the lower connection component, whereby the upper and lower engaging sections (13,14) are each formed on the respective washer segments (11,12) of the upper and lower washers--.

Canceled claims 10 and 17.

In claim 13, in line 1 after "according to Claim" deleted "10" and replaced with --9--.

2. The following is an examiner's statement of reasons for allowance:

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As to claims 1 and 9, Mefferd (US 5,269,572) discloses the claimed locking device with the exception of comprising a primary connection including a hub that rotatably connects the upper and lower connection components; and a secondary connection that rotatably connects the upper and lower connection components in the event the primary connection fails, the secondary connection including at least two shell segments each of which only partially extends around opposite vertical sides of the primary connection from the outside and in a horizontal direction, so that, should the primary connection of the two connection components fail, the upper engaging section of the shell segments is supported against the upper engaging section provided at the upper connection component, while the lower engaging section of the shell segments holds the lower engaging section of the lower connection component.

There is no teaching or suggestion, absent the applicants' own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the locking device as disclosed by Mefferd to have the above mentioned elemental features.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MPF
12/20/06



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